

REMARKS

Applicants note with appreciation that, in the Final Office Action of July 10, 2008, claim 16 was allowed and claim 19 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. However, claims 1-15, 18 and 20 were rejected under 35 U.S.C. 102(e) as allegedly being anticipated by U.S. Patent No. 6,526,495 (hereinafter “Sevalia et al.”). In addition, the specification was objected to because the disclosure does not contain the recommended sections and arrangement of the sections per 37 CFR 1.77(b).

With respect to the objection to the specification, Applicants respectfully decline to add the section headings because the suggestions provided in 37 C.F.R. §1.77(b) **are not statutorily required** for filing a non-provisional patent application under 35 USC § 111(a), but per 37 C.F.R. § 1.51(d) are **only guidelines** that are suggested for Applicants’ use. The section headings are not mandatory, and in fact when Rule 77 was amended in 1996 (61 FR 42790, Aug. 19, 1996), Bruce A. Lehman, Assistant Secretary of Commerce and Commissioner of Patents and Trademarks, stated in the Official Gazette:

“Section 1.77 is permissive rather than mandatory. ... 1.77 merely expresses the Office's preference for the arrangement of the application elements. The Office may advise an applicant that the application does not comply with the format set forth in 1.77, and suggest this format for the applicant's consideration; however, **the Office will not require** any application to comply with the format set forth in 1.77.” (emphasis added)

In view of the above, Applicants respectfully decline to amend the specification to include the suggested section headings and request that this specification objection be withdrawn.

With respect to the “objected to” claim 19, Applicants have rewritten claim 19 in independent form by adding a new independent claim 21, which includes the limitations of claims 18 and 19. Thus, claims 18 and 19 have been canceled. In view

of this claim amendment, Applicants respectfully request that the new independent claim 21 be allowed.

With respect to the Section 102 rejections of claims 1-15, 18 and 20, Applicants have amended the independent claim 1 to include the subject matter of claim 7, which has now been canceled. Claim 20 has also been canceled. Claims 8-11, 13 and 14 have been amended to maintain proper claim dependency. As amended, the independent claim 1 is not anticipated by the cited reference of Sevalia et al., as explained below. In view of the claim amendments and the following remarks, Applicants respectfully request the allowance of pending claims 1-6, 8-15 and 21, in addition to the allowed claim 16.

A. Patentability of Amended Independent Claim 1

As amended, the independent claim 1 recites in part “*a buffer memory connectable to said at least one access port and to said memory, wherein a line width of said buffer memory and said memory is selected to be greater or equal the data width of said at least one access port multiplied by the sum of read accesses and write accesses per cycle,*” which is not disclosed in the cited reference of Sevalia et al. Consequently, the amended independent claim 1 is not anticipated by the cited reference of Sevalia et al.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

With reference to now-canceled claim 7, the Office Action states on page 8 that “Sevalia teaches further comprising a buffer memory connectable to at least one access port and to the memory, wherein a line width of the buffer memory and the memory is selected to be greater or equal the data width of at least one access port multiplied by the sum of read accesses and write accesses per cycle (e.g., see col. 2,

lines 7-60).” However, in the cited passage of Sevalia et al., there is no mention of any buffer memory connectable to at least one access port and to a memory. Thus, the cited reference of Sevalia et al. fails to disclose the claimed “*buffer memory*.” Consequently, the cited reference of Sevalia et al. also fails to disclose the claimed limitations of “*wherein a line width of said buffer memory and said memory is selected to be greater or equal the data width of said at least one access port multiplied by the sum of read accesses and write accesses per cycle*.” Thus, Applicants respectfully assert that the amended independent claim 1 is not anticipated by the cited reference of Sevalia et al., and respectfully request that the amended independent claim 1 be allowed.

B. Patentability of Dependent Claims 2-6 and 8-15

Each of the dependent claims 2-6 and 8-15 depends on the amended independent claim 1. As such, these dependent claims include all the limitations of the amended independent claim 1. Therefore, Applicants submit that these dependent claims are allowable for at least the same reasons as the amended independent claim 1.

Applicants respectfully request reconsideration of the claims in view of the remarks made herein. A notice of allowance is earnestly solicited.

Respectfully submitted,
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